THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO: 22220 of 2006

Dated: 20-11-2006

Between:

Dr. S.Syam

..... PETITIONER

AND

N.T.R. University of Health Sciences,
Vijayawada, rep., by its Registrar and another.

.....RESPONDENTS

THE HONOURABLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 22220 of 2006

O R D E R:

The petitioner, a student pursuing Post Graduation Course in M.D. Pathology, filed this writ petition seeking a direction to revaluate his answer scripts pertaining to the subject of Systematic Pathology Paper-II. In Final year, there are four papers with 100 marks each. The minimum required marks are 200 i.e. 50% of the total marks and the petitioner has secured 183 marks. It is the case of the petitioner that so far as the answer script in the subject of Systematic Pathology-II is concerned, there is revision of marks, by which the marks initially awarded were reduced. On the ground that there was no proper valuation, he seeks a writ of Mandamus directing the respondents to revalue the paper.

On the last occasion, when the matter came up, in view of the specific allegations made by the petitioner, the learned standing counsel for the University was directed to place the answer scripts of the petitioner before this Court. Today, when the matter is called, the learned standing counsel has placed the answer scripts of the petitioner for the subject Systematic Pathology Paper-II.

On a perusal of the answer scripts of the petitioner, it does not appear that there is a revision so as to reduction of the marks of the petitioner. Though for some of the questions there was a change of one mark, such a score was done for one other question also, wherein one mark was revised towards upward side, correspondingly there is

no such revision at all in the tabular form which forms part of the very same answer script.

In that view of the matter, there is no basis in the allegation of the petitioner that the marks were revised subsequently by reducing the marks.

With regard to the directions for revaluation, it is clearly well settled that in the absence of any provision in the academic regulations, no direction can be given by this Court to revaluate the answer scripts.

Accordingly, I do not find any illegality, which renders interference by this Court under Article 226 of the Constitution of India. The writ petition is devoid of any merit and the same is accordingly dismissed. No order as to costs.

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R.SUBHASH REDDY,J

Date: 20-11-2006
KLP